

Association for King William design'd;

O R,

An Entire Loyalty to His present MAJESTY, By Satisfaction given to those that are still for King James, in Regard to their most Conscientious Scruple, and Scandal taken, Promoted.

W Hereas there have been some that fear God, of all Ranks, the higher and meaner Rank, and Conditions, Clergy and Laity, that could not submit to the present Government, so as to take the Oath of Fidelity to the King, nay nor so much as come to the Liturgy (whereof otherwise they were so fond) becaufe of the Prayers that are there said for him:

And whereas there are now many more, that tho' they have sworn Allegiance to William as King *de Facto*, they cannot yet come to an Acknowledgment of him as King *de Jure*, so as to Associate in a Cordial Defence of him with others, All which doubts depend upon the sole Question about King James's Conscionable Exclusion; wherein it is not meerly out of Interest, (as most selfish Men will think) Humour, or Inclination, that they are gravell'd but out of Conscience grounded on the *Thirteenth to the Romans*: And forasmuch as I wrote a Book in the year, 1680. printed for R. Clavel, Entituled *A Peaceable Resolution of Conscience, touching our present Impositions*, wherein I have spoken for Loyalty against Resistance, not only as much, (for it is a Political Book) but more in one Vertical Point than others, and too much upon further Knowledge than is fit for our English Government: I do think meet for the Rectifying my self, and an humble Tender for others satisfaction, (especially such devout Loyalists as have forsaken what they had, rather than the Confession they once made in so solemn a Declaration and Subscription, which was then enjoyned all Conformists, That it is not Lawful to take Arms against the King upon any pretence whatsoever) to bear this Testimony to that Text of the Apostle and leave it on Record before I dye, being now 75 years Old for the sake of Posterity. The Words are these, *Let every Soul be subject unto the Higher Powers: for there is no Power but of God. The Powers that be are Ordained of God. Whosoever therefore resisteth Power resisteth the Ordinance of God, and they that resist shall receive to themselves Damnation.*

These are two Distinctions here necessary to be known: To offer more, were to Confound, not Edify. One is, between *Subjection* and *Obedience*. It is Dr. Fields Distinction in the Words, and in the Meaning none of those that are for the Doctrine of *Non-resistance* and *Passive Obedience*, but will so far agree with us. We are not always to Obey the Higher Powers (themselves must acknowledg) but we are (they say) always to be in *Subjection*, and never Resist, rise up and deliver our selves from them. If God forbids what the Magistrate commands, or if God commands what he forbids, God must be obeyed rather than Man. This by their Word [*Passive*] they assent unto; but, as to the Point of *Subjection*, it is in that, the Question and difference lyes between us. The other Distinction then is, what They have not yet known, nor was it ever yet used before by any that I know, unless perhaps my self. The Sense almost all have, but not the *Elucidation*. Distinguish we then between these two things, which certainly are different things, the Powers *that are*, and the Powers *that are not*. This is a plain Distinction, every one can understand it, and it is undeniable. The Powers, the Higher Powers in the Text are *As ſeu ἐξουσίαι*, the Powers *that be*. This is certain and exprels the Powers *that be* are the Powers in the Text, the Powers that are of God, the Ordinance of God, and they that resist shall receive to themselves Damnation. Let this be granted to these devout Men; but then must they grant to me again what cannot be denied by any, that as for the Powers *that are not*, the Powers (I say) that are not the Powers *that be*, they are not the Powers in the Text, not the Powers that are of God, not the Ordinance of God, and they that resist *them*, (and not the Powers *that be*) shall not receive to themselves Damnation. This is plain and undeniable as before.

Now there is one Question to be ask'd, which alone will resolve the whole Case at stake between us, and that is this: What is the true Meaning of the *As ſeu ἐξουσίαι*? What is really and in good earnest (so as the Conscience may rest upon it) *That*, which is meant by the Powers *that be*? I answer, The Powers *that be*, are certainly the Powers according to the present known * Constitution. There are Higher Powers (or Kings) whose Government is Absolute, and so Absolute, as that Subjects have no Liberty of Person, or propriety in Goods by the Constitution: But it is not so with other Higher Powers (or Kings) whose Government is according to a supposed Original Contract (appearing in the Laws) Which gives the People such Liberty and Rights, as the King such a *Prerogative*, extending so far, and no farther then that Contract allows. There is here therefore two things to be considered, the *Potestas*, and *Forma Regiminis*;

* There may be a pretended Power where there is none such as was K. James's Dispensing Power, and his Commissions now.

* Augustus brought in a New Constitution into the Roman Government, the People consenting: And Nero was Obeyed, and not to be Resisted, as supposedly, Ruling thereby.

the Power and the Word in such Governments. The Form or Constitution (which tells what sort of Government shall be, what Persons shall Govern, and how far they may go) is of Men, (of Men altogether, unless in the Jews Common wealth) and then the Power does flow from GOD to Rule so, and no otherwise, but according to that Constitution. *Potestas est a Deo, but Forma ab Homine*, says Bishop Andrews. If then the Higher Power for the Administration rule not by that Form, or according to that Constitution, (but designedly and resolvedly, and not by a slip and meer Inadvertency, depart from it), the

* A Dispensing Power indefinitely maintain'd is a Power over the Laws. A Power over the Laws, subverts the Government. A Change of Government Absolves the Subject from his Allegiance.

* When Luther had taught that the Magistrate should

not be Resisted, and some Lawyers prov'd to him that the German Empire was not Absolute, but that the Laws thereof permitted Resistance, he then held they might make a League to defend themselves; Upon this reason, *Because (said he) the Gospel abolishes not the Laws of any Common wealth.* Sleidan, lib. 8. Note here in the way, That if William be Lawful King, King by Law, then he must be Rightful King [King in *Foro interiori*, unto whom Subjection is due, not for *Wright*, but *Conscience sake*; King in *Foro Dei sive Conscientie*, and not in *Foro Exteriori sive Humano* only]: Upon the same Reason, Because the Gospel, the Word or Laws of God does suppose, not *power* any thing in this Matter, but according to the Law of the Land.

* As we know, (says Hooker in larger Words) That they are Lords of such or such Lands,

unto whom in default of Heirs, they fall by Escheat: So does it Rightly follow, seeing Dominion, when there is none to inherit it, (or when it is forfeited) returns to the Body, that it does fundamentally and radically reside in the Body, and that the Inheritors hold it in dependency on them. Our Government therefore thus Escheating, or become Forfeit to the People, and they by their Representatives in a Convention having settled it on William, here is the most certain, true, indubitable Title that any Prince is Capable of; and better than any other hath to his Government, for ought I know, in the whole Earth.

There are Two Reasons now (besides the Conscience to my self in regard to the Book forecited) for the Publication; which being apparent, I own. The One, That all Honest Scrupulous Men who have been hitherto *Non Jurors* upon the Point of Conscience (as to the *new*) may be so satisfied to take the Oath of Fidelity to King William (with us that have,) as to bless God for him, and to enter on the Possession as they see it good for them. The Other, That the King himself, and those that succeed him in the Throne, may not be corrupted by the Love of their People, or Liberality of Parliaments, to make such Use of their Raised Strength, as our Neighbour Kings have done, to go out of the Circle of our English Constitution. Especially knowing that the Spirit of the Nation, and the Conscience of it also is hereby so resolved, that under King James we would not be Papists: Under those that succeed, We will not be Slaves.

Habete Sententiam meam, & Edisserendi finem, in Causa hac gravissima.

John Humfrey.